

MONDAY, FEBRUARY 27, 1995

THIRTEENTH LEGISLATIVE DAY

The House met at 5:00 p.m. and was called to order by Mr. Speaker Naifeh.

The proceedings were opened with prayer by Rev. Charles Starks, First United Methodist, Newport, Tennessee.

Representative Davis led the House in the Pledge of Allegiance to the Flag.

ROLL CALL

The roll call was taken with the following results:

Present 96

Representatives present were: Armstrong, Arriola, Beavers, Bell, Bird, Bittle, Bowers, Bragg, Brooks, Brown, Buck, Burchett, Byrd, Callicott, Cantrell, Chumney, Clabough, Coffey, Cole (Carter), Cole (Dyer), Cross, Curtiss, Davidson, Davis, Deberry J, Deberry L, Duer, Dunn, Eckles, Fitzhugh, Ford, Fowlkes, Garrett, Givens, Gunnels, Haley, Halteman Harwell, Hargrove, Hassell, Head, Herron, Hicks, Huskey, Jackson, Jones R (Shelby), Jones S, Joyce, Kent, Kernell, Kerr, Kisber, Langster, Lewis, McAfee, McDaniel, McDonald, McKee, McMillan, Miller, Napier, Newton, Odom, Patton, Peach, Phelan, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Rigsby, Rinks, Ritchie, Roach, Robinson, Sharp, Shirley, Stamps, Stulce, Tindell, Towns, Turner (Hamilton), Turner (Shelby), Venable, Walley, West, Westmoreland, White, Whitson, Williams (Union), Williams (Williamson), Windle, Winningham, Wood, Mr. Speaker Naifeh -- 96.

EXCUSED

The Speaker announced that the following member(s) has/have been excused, pursuant to request(s) under **Rule No. 20**:

Representative Boyer; business reasons.

Representative Jones U (Shelby); illness.

PRESENT IN CHAMBER

Representative(s) Ramsey was/were recorded as being present in the Chamber.

SPONSORS ADDED

Under **Rule No. 43**, the following members were permitted to add their names as sponsors as indicated below, the prime sponsor of each having agreed to such addition:

House Resolution No. 19: Rep(s). Turner (Hamilton) as prime sponsor(s).

House Joint Resolution No. 85: Rep(s). Naifeh, Armstrong, and Hargrove as prime sponsor(s).

House Joint Resolution No. 111: Rep(s). West as prime sponsor(s).

House Bill No. 18: Rep(s). Byrd as prime sponsor(s).

House Bill No. 31: Rep(s). Coffey as prime sponsor(s).

House Bill No. 132: Rep(s). Hargrove, Kisber, Joyce, Kent, Byrd and Coffey as prime sponsor(s).

MESSAGE FROM THE SENATE
February 27, 1995

MR. SPEAKER: I am directed to transmit to the House, Senate Joint Resolution(s) No(s). 67; adopted for concurrence.
CLYDE W. McCULLOUGH, JR., Chief Clerk.

Senate Joint Resolution No. 67 -- Memorials, Congratulations - Boy Scout Troop 129, 50th anniversary. by *McNally.

MESSAGE FROM THE SENATE
February 27, 1995

MR. SPEAKER: I am directed to transmit to the House, Senate Joint Resolution(s) No(s). 74; adopted for concurrence.
CLYDE W. McCULLOUGH, JR., Chief Clerk.

Senate Joint Resolution No. 74 -- Memorials, Death - Howard Cornelius Gentry. by *Harper, *Cohen, *Kyle, *Springer, *Haynes, *Henry, *Wilder.

RESOLUTIONS

Pursuant to Rule No. 17, the following resolution(s) was/were introduced and placed on the Consent Calendar for Wednesday, March 1, 1995:

House Joint Resolution No. 117 -- Memorials, Professional Achievement - Dr. James Walker, MTSU President. by *Bragg, *Eckles.

House Joint Resolution No. 118 -- Memorials, Professional Achievement - Coach Boots Donnelly, 1995 Tennessee Sportswriters Association Coach of the Year. by *Bragg, *Eckles.

House Joint Resolution No. 119 -- Memorials, Death - John Edward "Jack" Norman, Sr. by *Robinson, *Purcell, *West, *Pruitt, *Arriola, *Coffey, *Garrett, *Halteman Harwell, *Jones S, *Langster, *Odom, *Hargrove, *Callicott, *Fowlkes, *McDonald, *Head.

SENATE JOINT RESOLUTIONS
(Congratulatory and Memorializing)

Pursuant to Rule No. 17, the resolution(s) listed was/were noted as being placed on the Consent Calendar for Wednesday, March 1, 1995:

Senate Joint Resolution No. 67 -- Memorials, Congratulations - Boy Scout Troop 129, 50th anniversary. by *McNally.

RESOLUTIONS LYING OVER

On motion, the resolutions(s) listed was/were referred to the appropriate Committee:

* **Senate Joint Resolution No. 11** -- Memorials, Congress - Urges enactment of amendment to Federal Water Pollution Control Act providing states may enact and enforce own marine sanitation laws. by *Springer.

Conservation and Environment Committee

* **Senate Joint Resolution No. 12** -- Memorials, Congress - Urges reinstating Aquatic Resources Trust Fund (Wallop-Breaux) moneys on sustained funding basis to assure continued success of boating safety and education programs. by *Springer.

Conservation and Environment Committee

* **Senate Joint Resolution No. 15** -- Memorials, Congress - Urges proposal of amendment to U.S. Constitution to restore to people right of free religious expression, including right to allow prayer, religious study and religious expression in public schools and other public assemblies. by *Cooper.

Judiciary Committee

Senate Joint Resolution No. 57 -- Naming and Designating - "Red Cross Month in Tennessee, " March 1995. by *Haynes.

Calendar and Rules Committee

INTRODUCTION OF BILLS

On motion, the following bills were introduced and passed first consideration:

House Bill No. 1826 -- Dandridge - Subject to local approval, revises charter. Amends Chapter 419, Acts of 1907, as amended. by *Stulce, *Davis.

SENATE BILLS TRANSMITTED

On motion, the Senate Bills listed below, transmitted to the House, were held on the Clerk's desk pending third consideration of the companion House Bill:

***Senate Bill No. 275** -- Marriage - Eliminates three day waiting period for marriage license applicants if both are 18 or older. Amends TCA Title 36, Chapter 3. by *Haynes.

***Senate Bill No. 411** -- Children - Permits any parent to consent to medical treatment of minor child; permits any married person to consent to medical treatment for such person or such person's spouse. by *McNally.

Senate Bill No. 479 --Decatur County - Subject to local approval, creates court administered safety program in Decatur County general sessions court. by *Springer, *Leatherwood.

***Senate Bill No. 494** -- Sunset Laws - Traumatic brain injury council, June 30, 1997. Amends TCA Title 4, Chapter 29; Title 68, Chapter 55. by *Haynes, *Person.

***Senate Bill No. 508** -- Sunset Laws - Terminates state seed board. Amends TCA Title 4, Chapter 29 and Title 43, Chapter 10. by *Haynes.

CONSENT CALENDAR

***House Bill No. 46** -- County Officers -- Exempts officers with 20 continuous years of service as county constable from in service education requirements Amends TCA 8-10-202. by *Cole (Carter), *Patton, *Hicks, *Westmoreland (SB107 by Crowe).

*** House Joint Resolution No. 85** -- Memorials, Sports - "James 'Little Man' Stewart Day," March 3, 1995. by *Ford, *Shirley, *Williams (Union), *Sharp, *Curtiss, *Wood, *Davis, *Coffey, *DeBerry J.

***House Resolution No. 18** -- Memorials, Personal Occasion - Helen Marie Hall, eightieth birthday. by *Davis.

***House Resolution No. 19** -- Memorials, Professional Achievement - Carolyn Payne, Hamilton County Teaching Excellence Award of 1994. by *Stulce.

House Joint Resolution No. 111 -- Memorials, Sports - Tennessee Tech Eaglette basketball program. by *Hargrove, *Curtiss, *Windle, *Rhinehart, *Buck, *Duer, *Clabough, *Halteman Harwell.

***House Joint Resolution No. 112** -- Memorials, Retirement - Coach Roy Sewell. by *Curtiss.

***House Joint Resolution No. 113** -- Memorials, Recognition and Thanks - Mary Jo Lee Brinkman, 4-H Clubs of Coffey County. by *Lewis.

House Bill No. 1010 -- Henry County - Subject to local approval, enacts "Sealed Bidding Procedures Act for Henry County." by *Ridgeway (SB581 by *Hamilton).

On motion, House Bill No. 1010 was made to conform with **Senate Bill No. 581**, the Senate Bill was substituted for the House Bill.

House Bill No. 1174 -- Sumner County -- Subject to local approval, changes office of county attorney to office of law director, to serve six year term initially, and four year terms thereafter.

MONDAY, FEBRUARY 27, 1995 -- THIRTEENTH LEGISLATIVE DAY

Amends Chapter 95, Private Acts of 1973, as amended. by *Stamps (SB1492 by *Wright).

House Bill No. 1135 -- Williamson County -- Increases number of general sessions judges from one to two. Amends Chapter 424 of the Private Acts of 1939, as amended by Chapter 186 of the Private Acts of 1957, Chapter 261 of the Private Acts of 1976, and all other acts amendatory thereto. by *Callicott (SB400 by *Jordan).

House Bill No. 1275 -- Oliver Springs -- Subject to local approval, revises city charter by redrawing ward districts. Amends Chapter 247, Acts of 1905, as amended. by *Cantrell (SB1484 by *O'Brien).

House Bill No. 1131 -- Gordonsville -- Subject to local approval, removes prohibition on sale of intoxicating liquors. Amends Chapter 280, Acts of 1909. by *Buck (SB1475 *Rochelle).

House Bill No. 1240 -- Weakley County -- Subject to local approval, removes requirement that county attorney serve as delinquent tax attorney, permitting such attorney to be employed in that capacity separate and apart from regular duties with county. Amends Chapter 559, Private Acts of 1951. by *Herron (SB1603 by *Hamilton).

House Bill No. 892 -- Weakley County - Subject to local approval, abolishes position of county judge. - Repeals Chapter 124, Acts of 1893, as amended. by *Herron (SB1449 by Hamilton).

Senate Joint Resolution No. 53 -- Memorials, Sports - Ryan Lee Haynes. by *Womack.

Senate Joint Resolution No. 54 -- General Assembly, Proclamations - Recognizes 75th Anniversary of 19th Amendment to Constitution of United States; declares 1995 as year of Women's Suffrage. by *Cohen.

Senate Joint Resolution No. 55 -- Memorials, Death - Scott Miller, Cocke County Deputy Sheriff. by *Burks, *Haun.

Senate Joint Resolution No. 56 -- Memorials, Recognition and Thanks - Lyons Chapel AME Zion Church, 117th birthday. by *Wallace.

OBJECTION -- CONSENT CALENDAR

Objection(s) was/were filed to the following on the Consent Calendar:

House Bill No. 1131: by Rep. Burchett.

Under the rules, House Bill No. 1131 was/were placed at the foot of the calendar for Wednesday, March 1, 1995.

On motion of Rep. Ford, all members voting aye on **House Joint Resolution No. 85** will be added as sponsors, which motion prevailed.

On motion of Rep. Chumney, all members voting aye on **Senate Joint Resolution No. 54** will be added as sponsors, which motion prevailed.

Pursuant to **Rule No. 50**, Rep. Phillips moved that all House Bills having companion Senate Bills and are on the Clerk's desk be

conformed and substituted for the appropriate House Bill, all Senate and House Bills on the Consent Calendar be passed on third and final consideration, all House Resolutions and House Joint Resolutions be adopted, and all Senate Joint Resolutions on the Consent Calendar be concurred in, which motion prevailed by the following vote:

Ayes.	96
Noes.	0

Representatives voting aye were: Armstrong, Arriola, Beavers, Bell, Bird, Bittle, Bowers, Bragg, Brooks, Brown, Buck, Burchett, Byrd, Callicott, Chumney, Clabough, Coffey, Cole (Carter), Cole (Dyer), Cross, Curtiss, Davidson, Davis, Deberry J, Deberry L, Duer, Dunn, Eckles, Fitzhugh, Ford, Fowlkes, Garrett, Givens, Gunnels, Haley, Halteman Harwell, Hargrove, Hassell, Head, Herron, Hicks, Huskey, Jackson, Jones R (Shelby), Jones S, Joyce, Kent, Kernell, Kerr, Kisber, Langster, Lewis, McAfee, McDaniel, McDonald, McKee, McMillan, Miller, Napier, Newton, Odom, Patton, Peach, Phelan, Phillips, Pinion, Pruitt, Purcell, Ramsey, Rhinehart, Ridgeway, Rigbsby, Rinks, Ritchie, Roach, Robinson, Sharp, Shirley, Stamps, Stulce, Tindell, Towns, Turner (Hamilton), Turner (Shelby), Venable, Walley, West, Westmoreland, White, Whitson, Williams (Union), Williams (Williamson), Windle, Wunningham, Wood, Mr. Speaker Naifeh -- 96.

A motion to reconsider was tabled.

REGULAR CALENDAR

House Bill No. 82 -- Correction, Dept. of -- Increases from ten to 14 membership of Select Oversight Committee on Corrections. Amends TCA 3-15-101(b), 109(c). by *Rhinehart, *Naifeh, *Purcell, *McKee, *Bittle, *McDaniel, *DeBerry L. (*SB27 by *Wilder, *Crutchfield, *Atchley, *Kyle, *O'Brien, *Elsea, *Rochelle).

On motion, House Bill No. 82 was made to conform with **Senate Bill No. 27**; the Senate Bill was substituted for the House Bill.

Rep. Rhinehart moved that Senate Bill No. 27 be passed on third and final consideration.

Rep. Rhinehart moved adoption of Amendment No. 1 as follows:

Amendment No. 1

Amend Senate Bill No. 27 by deleting the period "." at the end of the amendatory language of Section 2 and by substituting instead the following:

; and, furthermore, to assure broadly based representation the speakers may increase the total membership of any such committee by not more than one (1) senator and/or not more than one (1) representative if, as a result of such action, the committee will consist of a total of twenty (20) members evenly balanced between senators and representatives.

Rep. Rhinehart requested that Senate Bill No. 27 be moved to the heel of the Calendar, which motion prevailed.

***House Bill No. 18** -- District Attorneys -- Requires district attorneys general to assist attorney general and reporter in locating and collecting defendant's sources of income for distribution to victims under Victims' Compensation from the Proceeds of Crime Act of 1994. Amends TCA Title 29, Chapter 13, Part 4. by *Herron, *Ridgeway, *Pinion, *Curtiss, *Fitzhugh, *McDonald, *West, *Shirley, *Haley, *Miller, *Williams (Union), *Hassell, *Halteman Harwell, *Tindell, *DeBerry J. (SB1764 by *Rochelle).

Rep. Herron moved that House Bill No. 18 be passed on third and final consideration.

Rep. Buck moved adoption of Judiciary Committee Amendment No. 1 as follows:

Amendment No. 1

Amend House Bill No. 18 by deleting from subpart (3) of the amendatory language of SECTION 1 the language "work with the attorney" and substituting instead the language "work with the attorney general and reporter".

On motion, Amendment No. 1 was adopted.

Rep. Herron moved that **House Bill No. 18**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes.	96
Noes.	0

Representatives voting aye were: Armstrong, Arriola, Beavers, Bell, Bird, Bittle, Bowers, Bragg, Brooks, Brown, Buck, Burchett, Byrd, Callicott, Cantrell, Chumney, Clabough, Coffey, Cole (Carter), Cole (Dyer), Cross, Curtiss, Davidson, Davis, Deberry J, Deberry L, Duer, Dunn, Eckles, Fitzhugh, Ford, Fowlkes, Garrett, Givens, Gunnels, Haley, Halteman Harwell, Hargrove, Hassell, Head, Herron, Hicks, Huskey, Jackson, Jones R (Shelby), Jones S, Joyce, Kent, Kernell, Kerr, Kisber, Langster, Lewis, McAfee, McDaniel, McDonald, McKee, McMillan, Miller, Napier, Newton, Patton, Peach, Phelan, Phillips, Pinion, Pruitt, Purcell, Ramsey, Rhinehart, Ridgeway, Rigsby, Rinks, Ritchie, Roach, Robinson, Sharp, Shirley, Stamps, Stulce, Tindell, Towns, Turner (Hamilton), Turner (Shelby), Venable, Walley, West, Westmoreland, White, Whitson, Williams (Union), Williams (Williamson), Windle, Winningham, Wood, Mr. Speaker Naifeh -- 96.

A motion to reconsider was tabled.

***House Bill No. 132** -- Criminal Procedure -- Provides alternative consolidated procedure for finding person to be motor vehicle habitual offender. Amends TCA Title 55, Chapter 10, Part 6. by *Herron, *Williams (Williamson), *Jackson, *Buck, *Ridgeway,

*Pinion, *Curtiss, *Fitzhugh, *McDonald, *West, *Shirley, *Haley, *Miller, *Williams (Union), *Hassell, *Tindell, *DeBerry J, *Halteman Harwell (SB772 by *Haynes).

Rep. Herron moved that House Bill No. 132 be passed on third and final consideration.

Rep. Buck moved adoption of Judiciary Committee Amendment No. 1 as follows:

Amendment No. 1

AMEND House Bill No. 132 by adding the following new section immediately preceding the last section and by renumbering the subsequent section accordingly:

SECTION 2. Tennessee Code Annotated, Section 55-10-603, is amended by deleting subsection (2)(A) in its entirety and substituting instead the following:

(A) Any person who, during a three-year period, is convicted in a Tennessee court or courts of three (3) or more of the following offenses; any person who, during a five-year period, is convicted in a Tennessee court or courts of three (3) or more of the following offenses; or any person who, during a ten-year period, is convicted in a Tennessee court or courts of five (5) or more of the following offenses; provided, that if the five- or ten-year period is used, one (1) of such offenses occurred after July 1, 1991:

- (i) Voluntary manslaughter resulting from the operation of a motor vehicle;
- (ii) Vehicular homicide as defined in Tennessee Code Annotated, Section 39-13-213;
- (iii) Involuntary manslaughter resulting from the operation of a motor vehicle;
- (iv) Vehicular assault as defined in Tennessee Code Annotated, Section 39-13-106;
- (v) Violation of Section 55-8-151(a), relating to meeting or overtaking school buses;
- (vi) Violation of Section 55-10-101(a), relating to the duty to stop at the scene of an accident resulting in injury or death;
- (vii) Violation of Section 55-10-102, relating to the duty to stop at the scene of an accident resulting only in damage to a vehicle driven or attended by any person;
- (viii) Violation of Section 55-10-401, prohibiting intoxicated or drugged persons from driving;

this title, relative unlicensed;	(ix) Violation of chapter 50, part 3 of to driving while
relative to driving revoked license;	(x) Violation of Section 55-50-504, on canceled, suspended, or
relative to reckless	(xi) Violation of Section 55-10-205, driving;
relative to drag	(xii) Violation of Section 55-10-502, racing; and

On motion, Amendment No. 1 was adopted.

Rep. Herron moved that **House Bill No. 132**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	97
Noes	0

Representatives voting aye were: Armstrong, Arriola, Beavers, Bell, Bird, Bittle, Bowers, Bragg, Brooks, Brown, Buck, Burchett, Byrd, Callicott, Cantrell, Chumney, Clabough, Coffey, Cole (Carter), Cole (Dyer), Cross, Curtiss, Davidson, Davis, Deberry J, Deberry L, Duer, Dunn, Eckles, Fitzhugh, Ford, Fowlkes, Garrett, Givens, Gunnels, Haley, Halteman Harwell, Hargrove, Hassell, Head, Herron, Hicks, Huskey, Jackson, Jones R (Shelby), Jones S, Joyce, Kent, Kernell, Kerr, Kisber, Langster, Lewis, McAfee, McDaniel, McDonald, McKee, McMillan, Miller, Napier, Newton, Odom, Patton, Peach, Phelan, Phillips, Pinion, Pruitt, Purcell, Ramsey, Rhinehart, Ridgeway, Rigsby, Rinks, Ritchie, Roach, Robinson, Sharp, Shirley, Stamps, Stulce, Tindell, Towns, Turner (Hamilton), Turner (Shelby), Venable, Walley, West, Westmoreland, White, Whitson, Williams (Union), Williams (Williamson), Windle, Winningham, Wood, Mr. Speaker Naifeh -- 97.

A motion to reconsider was tabled.

***House Bill No. 31** -- Education -- Deletes requirement that guidance counselors have two years of teaching experience. Amends Chapter 957 of the Public Acts of 1994; relative to amendments to agency rules. by *Whitson, *Patton (SB707 by *Crowe).

Rep. Whitson moved that **House Bill No. 31** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	94
Noes	0
Present and not voting.	2

Representatives voting aye were: Armstrong, Arriola, Beavers, Bell, Bird, Bittle, Bowers, Bragg, Brooks, Brown, Buck, Burchett, Byrd, Cantrell, Chumney, Clabough, Coffey, Cole (Carter), Cole (Dyer), Cross, Curtiss, Davidson, Davis, Deberry J, Deberry L, Duer, Dunn, Eckles, Fitzhugh, Ford, Fowlkes, Garrett, Givens, Gunnels, Haley, Halteman Harwell, Hargrove, Hassell, Head, Herron, Hicks, Huskey, Jackson, Jones R (Shelby), Jones S, Joyce, Kent, Kerr, Kisber, Langster, Lewis, McDaniel, McDonald, , McMillan, Miller, Napier, Newton, Odum, Patton, Peach, Phelan, Phillips, Pinion, Pruitt, Purcell, Ramsey, Rhinehart, Ridgeway, Rigsby, Rinks, Ritchie, Roach, Robinson, Sharp, Shirley, Stamps, Stulce, Tindell, Towns, Turner (Hamilton), Turner (Shelby), Venable, Walley, West, Westmoreland, White, Whitson, Williams (Union), Williams (Williamson), Windle, Winningham, Wood, Mr. Speaker Naifeh -- 94.

Representatives present and not voting were: Kernell and McAfee -- 2.

A motion to reconsider was tabled.

***Senate Bill No. 27--** Correction, Dept. of -- Increases from ten to 14 membership of Select Oversight Committee on Corrections. Amends TCA 3-15-101(b), 109(c). by *Wilder, *Crutchfield, *Atchley, *Kyle, *O'Brien, *Elsea, *Rochelle. (HB82 by *Rhinehart, *Naifeh, *Purcell, *McKee, *Bittle, *McDaniel, *DeBerry L.).

Further consideration of Senate Bill No. 27, previously considered on today's Calendar.

Rep. Rhinehart moved passage of Senate Bill No. 27 on third and final consideration.

Rep. Rhinehart renewed his motion to adopt Amendment No. 1.

Amendment No. 1

AMEND Senate Bill No. 27 by deleting the period "." at the end of the amendatory language of Section 2 and by substituting instead the following:

; and, furthermore, to assure broadly based representation the speakers may increase the total membership of any such committee by not more than one (1) senator and/or not more than one (1) representative if, as a result of such action, the committee will consist of a total of twenty (20) members evenly balanced between senators and representatives.

On motion, Amendment No. 1 was adopted.

Rep. Rhinehart moved that **Senate Bill No. 27**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes. 92
.. . . .

Noes. 4
Present and not voting. 1

Representatives voting aye were: Armstrong, Arriola, Beavers, Bell, Bird, Bittle, Bowers, Bragg, Brooks, Brown, Buck, Burchett, Byrd, Callicott, Cantrell, Chumney, Coffey, Cole (Carter), Cole (Dyer), Cross, Curtiss, Davidson, Davis, Deberry J, Deberry L, Duer, Eckles, Fitzhugh, Ford, Fowlkes, Garrett, Givens, Gunnels, Haley, Halteman Harwell, Hargrove, Hassell, Head, Herron, Hicks, Huskey, Jackson, Jones R (Shelby), Jones S, Joyce, Kent, Kernell, Kisber, Langster, Lewis, McAfee, McDaniel, McDonald, McKee, McMillan, Miller, Napier, Newton, Odom, Patton, Phelan, Phillips, Pinion, Pruitt, Purcell, Ramsey, Rhinehart, Ridgeway, Rigsby, Rinks, Ritchie, Roach, Robinson, Sharp, Stamps, Stulce, Tindell, Towns, Turner (Hamilton), Turner (Shelby), Venable, Walley, West, Westmoreland, White, Whitson, Williams (Union), Williams (Williamson), Windle, Winningham, Wood, Mr. Speaker Naifeh -- 92.

Representatives voting no were: Clabough, Dunn, Kerr, Shirley -- 4.

Representatives present and not voting were: Peach -- 1.

A motion to reconsider was tabled.

UNFINISHED BUSINESS

RULES SUSPENDED

Rep. Purcell moved that the rules be suspended for the purpose of introducing House Joint Resolution No. 115 out of order, which motion prevailed.

House Joint Resolution No. 115 -- General Assembly, Joint Conventions - Budget Address, March 1, 1995. by *Purcell.

On motion, the rules were suspended for the immediate consideration of the resolution.

On motion of Rep. Purcell, the resolution was adopted.

A motion to reconsider was tabled.

RULES SUSPENDED

Rep. Purcell moved that the rules be suspended for the purpose of introducing House Joint Resolution No. 116 out of order, which motion prevailed.

***House Joint Resolution No. 116** -- Memorials, Congress - Memorializes Congress to enact legislation enabling Tennessee to qualify for operation of medical assistance program under Title XIX of Social Security Act under block grant of funds without regard to levels of state-funded expenditures. by *Bittle.

On motion, the rules were suspended for the immediate consideration of the resolution.

On motion, the rules were suspended so that the resolution could be heard in the Commerce Committee, Tuesday, February 28, 1995, which motion prevailed.

RULES SUSPENDED

On motion, **Rule No. 49** was suspended such that bills and/or resolutions heard in Calendar and Rules on Tuesdays may be set on the House Calendars for Wednesdays, which motion prevailed.

RULES SUSPENDED

Rep. Pruitt moved that the rules be suspended for the purpose of considering Senate Joint Resolution No. 74 out of order, which motion prevailed.

Senate Joint Resolution No. 74 -- Memorials, Death - Howard Cornelius Gentry. by *Harper, *Cohen, *Kyle, *Springer, *Haynes, *Henry, *Wilder.

On motion, the rules were suspended for the immediate consideration of the resolution.

Rep. Pruitt moved that **Senate Joint Resolution No. 74**, with the request that all members voting aye be added as sponsors, be concurred in, which motion prevailed by the following vote:

Ayes.	96
Noes.	0

Representatives voting aye were: Armstrong, Arriola, Beavers, Bell, Bird, Bittle, Bowers, Bragg, Brooks, Brown, Buck, Burchett, Byrd, Callicott, Cantrell, Chumney, Clabough, Coffey, Cole (Carter), Cole (Dyer), Cross, Curtiss, Davidson, Davis, Deberry J, Deberry L, Duer, Dunn, Eckles, Fitzhugh, Ford, Fowlkes, Givens, Gunnels, Haley, Halteman Harwell, Hargrove, Hassell, Head, Herron, Hicks, Huskey, Jackson, Jones R (Shelby), Jones S, Joyce, Kent, Kernell, Kerr, Kisber, Langster, Lewis, McAfee, McDaniel, McDonald, McKee, McMillan, Miller, Napier, Newton, Odom, Patton, Peach, Phelan, Phillips, Pinion, Pruitt, Purcell, Ramsey, Rhinehart, Ridgeway, Rigsby, Rinks, Ritchie, Roach, Robinson, Sharp, Shirley, Stamps, Stulce, Tindell, Towns, Turner (Hamilton), Turner (Shelby), Venable, Walley, West, Westmoreland, White, Whitson, Williams (Union), Williams (Williamson), Windle, Winningham, Wood, Mr. Speaker Naifeh -- 96.

SPONSORS ADDED

Under **Rule No. 43**, the following members were permitted to add their names as sponsors as indicated below, the prime sponsor of each having agreed to such addition:

House Joint Resolution No. 14: Rep(s). Byrd as prime sponsor(s).

House Bill No. 32: Rep(s). Chumney as prime sponsor(s).
House Bill No. 20: Rep(s). Byrd as prime sponsor(s).
House Bill No. 22: Rep(s). Byrd as prime sponsor(s).
House Bill No. 23: Rep(s). Byrd as prime sponsor(s).
House Bill No. 24: Rep(s). Byrd as prime sponsor(s).
House Bill No. 47: Rep(s). Byrd as prime sponsor(s).
House Bill No. 88: Rep(s). Haley as prime sponsor(s).
House Bill No. 89: Rep(s). Haley as prime sponsor(s).
House Bill No. 90: Rep(s). Haley as prime sponsor(s).
House Bill No. 111: Rep(s). West as prime sponsor(s).
House Bill No. 125: Rep(s). Byrd as prime sponsor(s).
House Bill No. 128: Rep(s). Byrd as prime sponsor(s).
House Bill No. 131: Rep(s). Byrd as prime sponsor(s).
House Bill No. 475: Rep(s). Whitson as prime sponsor(s).
House Bill No. 642: Rep(s). Byrd as prime sponsor(s).
House Bill No. 793: Rep(s). West as prime sponsor(s).
House Bill No. 931: Rep(s). Davis as prime sponsor(s).
House Bill No. 974: Rep(s). Curtiss as prime sponsor(s).
House Bill No. 1474: Rep(s). Odom as prime sponsor(s).
House Bill No. 1664: Rep(s). Davis as prime sponsor(s).
House Bill No. 1700: Rep(s). Fitzhugh as prime sponsor(s).

**MESSAGE FROM THE GOVERNOR
February 27, 1995**

MR. SPEAKER: I am directed by the Governor to return herewith:
House Bill(s) No(s). 5 and 119 with his approval.

HARDY MAYS, Counsel to the Governor.

**MESSAGE FROM THE GOVERNOR
February 27, 1995**

MR. SPEAKER: I am directed by the Governor to return herewith:
House Joint Resolution(s) No(s). 27, 36, 37, 38, 40, 45, 46, 48, 49,
51, 52, 55, 57, 58, 59, 60, 65, 68, 69, 73, 96, 109 and 110, with his
approval.

HARDY MAYS, Counsel to the Governor.

MESSAGE FROM THE SENATE

February 27, 1995

MR. SPEAKER: I am directed to transmit to the House, Senate Bill(s) No(s). 581; passed by the Senate.

CLYDE W. McCULLOUGH, JR., Chief Clerk.

Senate Bill No. 581 -- Henry County - Subject to local approval, enacts "Sealed Bidding Procedures Act for Henry County." by *Hamilton.

MESSAGE FROM THE SENATE

February 27, 1995

MR. SPEAKER: I am directed to return to the House, House Joint Resolution(s) No(s). 86; concurred in by the Senate.

CLYDE W. McCULLOUGH, JR., Chief Clerk.

ENGROSSED BILLS

February 27, 1995

The following bills have been examined, engrossed, and are ready for transmission to the Senate: House Joint Resolution(s) No(s). 85.

BETTY KAY FRANCIS, Chief Engrossing Clerk.

MESSAGE FROM THE SENATE

February 27, 1995

MR. SPEAKER: I am directed to return to the House, House Joint Resolution(s) No(s). 85 and 115; both concurred in by the Senate.

CLYDE W. McCULLOUGH, JR., Chief Clerk.

MESSAGE FROM THE SENATE

February 27, 1995

MR. SPEAKER: I am directed to transmit to the House, Senate Bill(s) No(s). 55, 177 and 497; all for the signature of the Speaker.

CLYDE W. McCULLOUGH, JR., Chief Clerk.

SIGNED

February 27, 1995

The Speaker signed the following: Senate Bill(s) No(s). 55, 177 and 497.

ENGROSSED BILLS

February 27, 1995

The following bills have been examined, engrossed, and are ready for transmission to the Senate: House Joint Resolution(s) No(s). 115.

BETTY KAY FRANCIS, Chief Engrossing Clerk.

ENGROSSED BILLS

February 27, 1995

The following bills have been examined, engrossed, and are ready for transmission to the Senate: House Bill(s) No(s). 31, 46, 892,

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1135, 1174, 1240 and 1275; also, House Joint Resolution(s) No(s). 111, 112 and 113.

BETTY KAY FRANCIS, Chief Engrossing Clerk.

ROLL CALL

The roll call was taken with the following results:

Present 97
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Representatives present were: Armstrong, Arriola, Beavers, Bell, Bird, Bittle, Bowers, Bragg, Brooks, Brown, Buck, Burchett, Byrd, Callicott, Cantrell, Chumney, Clabough, Coffey, Cole (Carter), Cole (Dyer), Cross, Curtiss, Davidson, Davis, Deberry J, Deberry L, Duer, Dunn, Eckles, Fitzhugh, Ford, Fowlkes, Garrett, Givens, Gunnels, Haley, Halteman Harwell, Hargrove, Hassell, Head, Herron, Hicks, Huskey, Jackson, Jones R (Shelby), Jones S, Joyce, Kent, Kernell, Kerr, Kisber, Langster, Lewis, McAfee, McDaniel, McDonald, McKee, McMillan, Miller, Napier, Newton, Odom, Patton, Peach, Phelan, Phillips, Pinion, Pruitt, Purcell, Ramsey, Rhinehart, Ridgeway, Rigsby, Rinks, Ritchie, Roach, Robinson, Sharp, Shirley, Stamps, Stulce, Tindell, Towns, Turner (Hamilton), Turner (Shelby), Venable, Walley, West, Westmoreland, White, Whitson, Williams (Union), Williams (Williamson), Windle, Winningham, Wood, Mr. Speaker Naifeh -- 97.

RECESS MOTION

On motion of Rep. Purcell, the House recessed until 2:00 p.m., Wednesday, March 1, 1995.